

- (2) the effective date of the action;
- (3) a description of the procedures applicable in identifying employees for release;
- (4) the covered employee's competitive area;
- (5) the covered employee's eligibility for veterans' preference in retention and how that preference eligibility was determined;
- (6) the retention status and preference eligibility of the other employees in the affected position classifications or job classifications within the covered employee's competitive area, by providing:

(A) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible, and

(B) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will not be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible.

(7) a description of any appeal or other rights which may be available.

(c) The director of the employing office may, in writing, shorten the period of advance notice required under subsection (a), with respect to a particular reduction in force, if necessary because of circumstances not reasonably foreseeable.

(d) No notice period may be shortened to less than 30 days under this subsection.

#### MEASURE READ THE FIRST TIME—S. 4023

Mrs. GILLIBRAND. Mr. President, I understand that S. 4023, introduced earlier today by Senator LIEBERMAN, is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 4023) to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell".

Mrs. GILLIBRAND. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

#### ORDER OF PROCEDURE

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the following Senators be recognized to make

their farewell remarks on the dates and times indicated:

Senator GREGG, 25 minutes at 2:15 p.m., Tuesday, December 14; Senator BAYH, 20 minutes at 10 a.m., Wednesday, December 15; Senator LINCOLN, 30 minutes at 2:30 p.m., Wednesday, December 15; further, that if rule XXII is in effect that the time be charged accordingly.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR MONDAY, DECEMBER 13, 2010

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, December 13; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that following any leader remarks, the Senate resume consideration of the motion to concur with respect to H.R. 4853, the vehicle for the tax compromise, with the time until 3 p.m. equally divided and controlled between the two leaders or their designees; and that at 3 p.m. the Senate proceed to a vote, as provided for under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mrs. GILLIBRAND. Mr. President, there will be a rollcall vote at 3 p.m. on Monday on the motion to invoke cloture on the motion to concur with the Reid-McConnell amendment in the House amendment to the Senate amendment to H.R. 4853.

#### ADJOURNMENT UNTIL MONDAY, DECEMBER 13, 2010, AT 2 P.M.

Mrs. GILLIBRAND. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:12 p.m., adjourned until Monday, December 13, 2010, at 2 p.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate, December 10, 2010:

#### DEPARTMENT OF JUSTICE

RIPLEY RAND, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

CHARLES M. OBERLY III, OF DELAWARE, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF DELAWARE FOR THE TERM OF FOUR YEARS.

WILLIAM CONNER ELDRIDGE, OF ARKANSAS, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF ARKANSAS FOR THE TERM OF FOUR YEARS.

FRANK LEON-GUERRERO, OF GUAM, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF GUAM AND CONCURRENTLY UNITED STATES MARSHAL FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS FOR THE TERM OF FOUR YEARS.

CHARLES THOMAS WEEKS II, OF OKLAHOMA, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS.

KENNETH F. BOHAC, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS.

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be general

GEN. CLAUDE R. KEHLER

#### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

#### To be rear admiral (lower half)

CAPTAIN BRUCE D. BAFFER  
CAPTAIN DAVID R. CALLAHAN  
CAPTAIN RICHARD T. GROMLICH  
CAPTAIN FREDERICK J. KENNEY  
CAPTAIN MARSHALL B. LYTLE  
CAPTAIN STEPHEN P. METRUCK  
CAPTAIN FRED M. MIDGETTE

COAST GUARD NOMINATIONS BEGINNING WITH GREGORY J. HALL AND ENDING WITH JOSEPH T. BENIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 23, 2010.

COAST GUARD NOMINATION OF ANDREW C. KIRKPATRICK, TO BE LIEUTENANT.

COAST GUARD NOMINATIONS BEGINNING WITH JULIA A. HEIN AND ENDING WITH SUSAN L. SUBOCZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 29, 2010.

COAST GUARD NOMINATIONS BEGINNING WITH THOMAS ALLAN AND ENDING WITH AYLWYN S. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 29, 2010.

COAST GUARD NOMINATIONS BEGINNING WITH JOSEPH B. ABEYTA AND ENDING WITH DAVID K. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 18, 2010.

COAST GUARD NOMINATIONS BEGINNING WITH STEPHEN ADLER AND ENDING WITH SCOTT A. WOOLSEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 18, 2010.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH DENISE J. GRUCCIO AND ENDING WITH LINDSAY R. KURELJA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2010.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.